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Letter dated 15 May 2007 from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, addressed to the President of the Security Council

I am pleased to transmit herewith the assessments of the President (see annex I) and of the Prosecutor (see annex II) of the International Tribunal for the Former Yugoslavia, pursuant to paragraph 6 of Security Council resolution 1534 (2004).

I should be grateful if you would transmit these assessments to the members of the Security Council.

(*Signed*) Fausto **Pocar**
President

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Annex I

Assessment and report of Judge Fausto Pocar, President of the International Tribunal for the Former Yugoslavia, provided to the Security Council pursuant to paragraph 6 of Council resolution 1534 (2004)

1. This report is submitted pursuant to Security Council resolution 1534 (2004) adopted on 26 March 2004 in which the Council, in paragraph 6 of the resolution, requested the International Tribunal for the Former Yugoslavia "to provide to the Council, by 31 May 2004 and every six months thereafter, assessments by its President and Prosecutor, setting out in detail the progress made towards implementation of the Completion Strategy of the Tribunal, explaining what measures have been taken to implement the Completion Strategy and what measures remain to be taken, including the transfer of cases involving intermediate and lower rank accused to competent national jurisdictions".[1]

I. Introduction

2. The three Trial Chambers of the International Tribunal continued throughout the reporting period to operate at full capacity hearing six trials simultaneously with two separate sittings in each of the International Tribunal's three courtrooms from early morning into the evening. In addition, to take advantage of any gaps that may appear in the courtroom schedule due to illness of accused or counsel, failure of witnesses to appear, or other unforeseen circumstances leading to an adjournment of a proceeding, the International Tribunal plans to commence a seventh trial by June 2007. Thus, for the first time in the International Tribunal's history, the three Trial Chambers will be hearing seven cases simultaneously.

3. The eight cases tried during the reporting period were *Mrksić, Radić and Šljivančanin; Martić; Prlić, Stojić, Praljak, Petković, Ćorić and Pušić; Milutinović, Sainović, Ojdanić, Pavković, Lazarević and Lukić; Popović, Beara, Nikolić, Borovčanin, Miletić, Gvero and Pandurević; D. Milosević; Haradinaj, Brahimaj and Balaj; and Boškoski and Tarčulovski*. Of the cases tried, Judgement will be issued in the *Mrksić, Radić and Šljivančanin* case and the *Martić* case within the next month.

4. Further, Trial Chamber I heard one contempt case, and issued Judgement on 7 February 2007. This contempt case was heard while the six trials were being conducted, and Trial Judges took advantage of gaps in courtroom schedules to complete proceedings in this case. At the same time, the Referral Bench composed of Judges from each of the three Trial Chambers, conducted hearings in cases concerning three accused under Rule 11*bis* of the Rules of Procedure and Evidence of the International Tribunal, again taking full advantage of any gaps in the courtroom schedule.

[1] The present report should be read in conjunction with the previous six reports submitted pursuant to Security Council resolution 1534(2004): S/2004/420 of 24 May 2004; S/2004/897 of 23 November 2004; S/2005/343 of 25 May 2005; S/2005/781 of 15 December 2005; S/2006/353 of 31 May 2006; and S/2006/898 of 16 November 2006.

5. In addition, Trial Chamber Judges managed 12 cases in the pre-trial stage leading to the issuance of 146 written decisions and 12 oral decisions on such matters as the form of the indictment, challenges to jurisdiction, disclosure of evidence, protective measures for victims and witnesses, provisional release, adjudicated facts and the admissibility of witness statements under Rule 92*bis* of the Rules. Following on the recommendations of the Working Group on Speeding up Trials detailed to the Council in the 31 May 2006 report, pre-trial Judges have taken firm control over the preparation of cases for trial to ensure that, should there be an unforeseen interruption in the trial schedule, the International Tribunal is ready to start a new case immediately. For example, when complications arose in commencing the trial of Vojislav Šešelj, the trial of Dragomir Milošević was ready to fill the gap left in the trial schedule and, when delays arose in the *Gotovina et al.* case, the *Delić* case was trial ready to take its place. Moreover, the increased control being exercised by pre-trial Judges has enabled the International Tribunal to commence three new trials during the reporting period.

6. The Appeals Chamber has also demonstrated a rapid increase in productivity, issuing more decisions both from the International Tribunal and from the International Tribunal for Rwanda during the reporting period than in any other in the International Tribunal's history. The Appeals Chamber rendered final Judgement in the following seven cases: *B. Simić; Galić; Brđanin; Bralo; Blagojević and Jokić; Ndindabahizi*; and *Muhimana*. In addition, the Appeals Chamber rendered 114 written decisions, including 12 interlocutory appeals; one referral decision; 79 pre-appeal decisions; one contempt decision; three decisions on review or reconsideration; and 18 other decisions since the last report.[2] Presently, the Appeals Chamber has 10 pending appeals from Judgement and expects to render Judgement in four of these cases in the next reporting period.[3]

7. Currently, nine accused in six cases are awaiting trial before the International Tribunal. This represents a reduction of six accused from the last report and is due to the start of three new trials. Of the accused awaiting trial, five have been provisionally released (Rasim Delić, Momčilo Perišić, Franko Simatović, Jovica Stanišić and Mićo Stanišić).[4]

8. As mentioned in the last report to the Council, the International Tribunal has expedited its transfer of convicted persons from the United Nations Detention Unit as a measure for improving conditions in the Unit and respecting human rights norms. Consequently, during this reporting period, four convicted persons were transferred to France, the United Kingdom, Finland and Spain for the serving of sentence following the close of their cases before the International Tribunal.

II. Measures taken to implement the Completion Strategy

A. Trial and appeal proceedings

9. The last three reports to the Security Council have detailed the measures taken by the International Tribunal to implement the Completion Strategy. Most of the measures adopted under my

[2] *See* Enclosures VI, VIII.
[3] *See* Enclosure VII.
[4] *See* Enclosure IV.

Presidency arose from an in-depth analysis of trial and appeal practices carried out by the Working Groups on Speeding up Appeals and Trials. The recommendations of these Working Groups for improving the efficiency of proceedings have been fully embraced by the Judges, and their effectiveness is amply demonstrated by the figures given above. Before detailing additional measures that have been taken by the Judges during this reporting period, I will provide some information with respect to the impact of some of the measures previously adopted, namely the amendment to Rule 73*bis* and the amendment to Rule 92 including the additions of Rule 92*ter* and Rule 92*quater*.

10. Rule 73*bis* has been used by the Trial Chamber in the multi-accused case of *Milutinović et al.* to reduce the number of crime sites listed in the Prosecution's Indictment. In the *Perišić* case, the Trial Chamber invited the Prosecution, pursuant to Rule 73*bis*, to reduce the number of counts in the Indictment. The invitation was refused, and the Trial Chamber is currently determining whether to order the Prosecution to do so. In the *Šešelj* case, the Prosecution responded positively to an invitation to reduce the number of counts in the Indictment, ultimately leading to a reduction by one-third. In the case of *D. Milošević*, the Trial Chamber issued a decision reducing the Indictment by one-third and, in the *Gotovina et al.* case, the Trial Chamber ordered the Prosecution to reduce the Indictment by not leading certain crime base evidence, substantially reducing the length of the Prosecution's case.

11. The introduction of Rule 92*ter*, which authorizes a Trial Chamber under certain conditions to consider written statements and transcripts of witnesses in lieu of oral testimony that goes to proof of the acts and conduct of the accused, has also had a significant impact on proceedings at the International Tribunal. For example, in the multi-accused case of *Popović et al.*, the Trial Chamber ordered the Prosecution to file a revised estimate of the length of examination of each witness it wished to call and to consider the possibility of converting *viva voce* witnesses into Rule 92*ter* witnesses. In filing its revised estimate, the Prosecution determined that 16 of its witnesses were suitable for admission pursuant to Rule 92*ter*. In the case of all but one of these witnesses, the Prosecution's time estimate for the examination-in-chief was reduced to 30 minutes or less. Of the 72 witnesses who had testified in *Popović et al.* by the end of March 2007, 27 testified pursuant to Rule 92*ter*, and their examination-in-chief has lasted an average of 35 minutes. Thus, as is demonstrated by this case, it is clear that a substantial savings of court time is resulting from the use of Rule 92*ter*.

12. Rule 92*quater*, which allows written statements and transcripts of witnesses that go to the acts and conduct of the accused to be introduced into evidence even when a witness is unavailable, has been used to admit evidence in the multi-accused cases of *Milutinović et al.* and *Popović et al.* Through use of this Rule, Trial Chambers have been able to admit relevant evidence of witnesses who were deceased at the time of trial.

13. As indicated by the level of trial activity during the reporting period, an additional measure adopted by the Trial Chambers has been to make use of any free courtroom space to hold additional hearings in their cases. As the Council is aware, the International Tribunal has two short court recesses during each year. In the past, these periods have been used for carrying out court maintenance as well as Judgement and pre-trial decision drafting. However, following a decision of the Judges, Trial Chambers are now permitted to use the recess period to hold additional hearings in their cases.

Accordingly, during the upcoming recess period, the *Milutinović et al.* and *Prlić et al.* Trial Chambers will conduct additional hearings to expedite the completion of their cases.

14. Another important factor contributing to increased efficiency during the reporting period has been the work of the Trial Scheduling Working Group. The Trial Scheduling Working Group has undertaken the difficult task of identifying which cases will be heard by what Chambers in order to ensure that cases in the pre-trial stage will be managed by the Chamber anticipated to hear the case. This action follows from the recommendation of the Working Group on Speeding up Trials that such practice would increase efficiency in trial proceedings. In carrying out this task, the Vice-President of the International Tribunal, who acts as Chairman of the Trial Scheduling Working Group, holds regular consultations with pre-trial Judges to ascertain, as accurately as possible, the level of trial readiness and the expected duration of a trial. Such assessments are no longer left to the discretion of the parties, but are under the control of the pre-trial Judge. An additional benefit is that the Trial Scheduling Working Group ensures that there are always one or more cases that are trial ready in case unforeseen developments require the replacement of one case with another; as already reported, delays in the commencement of the *Šešelj* and *Gotovina et al.* cases allowed the trial ready cases of *D. Milošević* and *Delić* to be moved forward to fill the gaps in the trial schedule. The ability to quickly move these cases forward avoided any delays impacting upon the efficiency of the Tribunal's work overall. The ongoing receipt of information from Judges with respect to the progress of pre-trial and trial proceedings has enabled the Trial Scheduling Working Group to produce a reasonably accurate forecast of the anticipated completion of all trials at the International Tribunal. Presently, this assessment indicates that while the International Tribunal will be able to complete most of its trials by the end of 2008, four of the six remaining cases are expected to finish in the first half of 2009 and the last two before the end of 2009.[5] Of course, this assessment is subject to the normal caveats that can cause delay in trials.

15. Similar to the Trial Chambers, the Appeals Chamber has continued to reap the benefits of amendments made to the Rules for purposes of expediting proceedings while upholding fair trial guarantees. As the Council has previously been advised, amendments adopted following the report of the Working Group on Speeding up Appeals have resulted, *inter alia,* in shortening the time limits for the filing of appeals, in avoiding repetitious filings, and in expediting the disposal of appeals by expanding the use of written as opposed to oral submissions. Additionally, the expanded role of the pre-appeal Judge in disposing of routine motions and expediting pre-appeal proceedings has ensured the readiness of appeals from Judgement for hearing at the earliest opportunity. In sum, the amendments to the Rules and the proactivity of Appeals Judges have enabled the Appeals Chamber to render a record number of Appeals from Judgement in the reporting period while also expediting the issuance of interlocutory, pre-appeal and other decisions.[6] As part of the commitment to rendering appeals decisions and Judgements as quickly as possible, the Judges of the Appeals Chamber have met on a number of occasions to discuss various mechanisms to assist the work of the Appeals Chamber.

[5] *See* Enclosure XII.

[6] *See* Enclosures X and XI.

16. The achievements that have been described above provide clear evidence of the full commitment of the International Tribunal to expediting proceedings while according full respect and protection to the rights of the accused. The Judges have asked that Member States demonstrate their commitment to the International Tribunal by ensuring that the rights accorded to Judges under the Statute are upheld specifically with respect to the payment of their pensions. The Judges have been supported by many Member States in this request; however, the International Tribunal's proposal for an amendment of the Pension Scheme was not adopted by the General Assembly, and the matter is to be reconsidered at its 62nd Session. Moreover, at the 61st session, unexpectedly and without consultation with the International Tribunal's Judges, the system of payment of Judges was changed resulting in a substantial decrease in the salary of a new Judge starting at the International Tribunal, or for an existing Judge starting a new term of office. The Judges are sensitive to that fact that this is a matter for the General Assembly, but I must flag for the Council that a denial of the rights of Judges and a decrease of their salaries, may impact upon the work of the International Tribunal and its Completion Strategy.

B. *Ad litem* Judges

17. The International Tribunal would not have been able to achieve the results being reported to the Council today without the dedication of its *ad litem* Judges. Currently, the International Tribunal has eleven *ad litem* Judges at its service. Of these eleven, three are serving both as *ad litem* Judges on one trial and reserve *ad litem* Judges on an additional trial. These Judges are thus often required to attend two court sittings per day, from early morning into the evening. Due to the arrangement of the trial schedule to maximize sitting time in both cases, the breaks accorded to these *ad litem* Judges are at times few and of short duration.

18. During the reporting period, at least two *ad litem* Judges have begun hearing an additional trial while drafting the Judgement in another case, thus serving on two cases full time. Those *ad litem* Judges that have not been assigned an additional trial are fully engaged in the preparation of new cases for trial. This is a particularly heavy workload for our *ad litem* Judges, but they have been willing to take on what is required to ensure the expeditious completion of the International Tribunal's mandate and to secure the continued support of the Council and of Member States. As President of the International Tribunal, I have been greatly supported by their outstanding contribution to expediting our work.

C. Staff retention

19. It is not just the Judges of the International Tribunal that bear responsibility for the impressive results shown in this report. The successful implementation of the International Tribunal's Completion Strategy owes much to the International Tribunal's professional and qualified staff. The staff in Chambers deserve special mention for the focused dedication they have shown to the work of the International Tribunal, with drafting teams being shared among groups of Judges and legal assistants doubling up on trials, effectively increasing what was already a heavy workload. I cannot emphasize enough how critical it is to the successful implementation of the Completion Strategy that the International Tribunal retain its highly qualified and experienced staff. Their departure would

invariably result in delays, and while the International Tribunal is applying in-house incentives to retain staff such as promotions and compensation time, the growth of other international courts, including more permanent courts, makes that task increasingly difficult. In this respect, the International Tribunal needs the support of the Security Council and Member States to offer sufficient incentives to guarantee as much as possible that its best staff will not leave until the work of the International Tribunal is completed.

D. Conclusion

20. To illustrate plainly the progress made by the International Tribunal in its proceedings to date, it is instructive to refer back to the first Completion Strategy Report submitted to the Security Council in May of 2004. In that report, the Security Council was advised that a total of eight accused were being tried in six cases and that in the nine years following the establishment of the International Tribunal it had completed or was holding first instance proceedings involving 59 accused in 38 proceedings.[7] There were a total of 33 accused awaiting trial in 17 cases,[8] appeals had been completed in 20 cases involving 28 accused,[9] and 20 fugitives were at large. Today, just three years later, only nine accused are in the pre-trial stage,[10] 29 accused are currently on trial,[11] and trial proceedings against 107 accused have been completed. Appeals have been completed in 45 cases involving 62 accused and only six fugitives remain at large.[12]

E. Referral of cases involving intermediate and lower-ranking accused to competent national jurisdictions

21. The referral of cases involving intermediate and lower-ranking accused to competent national jurisdictions pursuant to Rule 11*bis* has been central to the implementation of the International Tribunal's Completion Strategy. No additional motions for referral were filed by the Prosecutor during the reporting period on the basis that none of the cases remaining at the International Tribunal involve intermediate and lower ranking accused as stipulated in Security Council resolution 1534 (2004).

22. The impact of referrals on the overall workload of the International Tribunal has been substantial. As advised in previous reports, the Prosecutor has filed 13 referral motions involving 21 accused. One of these motions, that of Dragomir Milošević, was refused, and two others were withdrawn by the Prosecutor. One accused, Ivica Rajić, pled guilty before the International Tribunal and was sentenced by the Tribunal on 8 May 2006 and another three accused, Mrskić, Radić and Šljivančanin, were tried at the International Tribunal with Judgement expected to be rendered in the next month. In addition, during the reporting period, another motion for referral was withdrawn in the

[7] S/2004/420, para.2.
[8] S/2004/420, Annex 3.
[9] S/2004/420, Annex 4.
[10] *See* Enclosure IV.
[11] *See* Enclosure II.
[12] *See* Enclosure III.

case of Dragan Zelenović who pled guilty before the International Tribunal on 14 December 2006 and was sentenced on 4 April 2007.

23. Of the motions filed, the Referral Bench has granted nine motions involving 15 accused and none are currently pending. Of those granted, 10 accused appealed to the Appeals Chamber and seven appeals decisions have been issued. One appeal on referral is currently pending. One appeal decision remanded a case involving two accused back to the Referral Bench (*Rašević and Todović*), which eventually upheld the referral. The other five decisions also upheld the referrals in the cases of *Stanković, Mejakić et al., Ljubičić, Janković and Kovačević*. Currently, nine accused have been transferred to the Special War Crimes Chamber of Bosnia and Herzegovina, two accused have been transferred to the authorities of Croatia, and one accused has been transferred to Serbia for trial before the domestic courts of these countries.[13]

24. The Prosecution continues to monitor the trials referred to the region through the Organization of Security and Cooperation in Europe (OSCE). Under Rule 11*bis*, the Prosecution has the authority to request the Referral Bench to revoke its referral order should it determine that such a case is not being conducted with full adherence to human rights norms and due process standards. Of the cases referred by the Tribunal, the Special War Crimes Chamber of Bosnia and Herzegovina has completed two trials, one case commenced trial in December 2006 and two cases are at the pre-trial stage. On 14 November 2006, the trial of the first accused referred, Stanković, came to a close with the Chamber finding him guilty of crimes against humanity and sentencing him to 16 years' imprisonment. On 16 February 2007, proceedings against Janković were concluded with the Chamber finding him guilty of crimes against humanity and sentencing him to 34 years' imprisonment. The International Tribunal is satisfied that the trials of both of these accused respected international norms of due process as recognised by the reports of the OSCE and human rights organizations. While cases referred to Bosnia and Herzegovina are progressing, I note that one of the first cases to be referred by the International Tribunal, the *Ademi and Norac* case referred to Croatia on 14 September 2005, has not commenced. While it is now reported that this trial is anticipated to start on 18 May 2006, I urge the Member States of the Security Council to encourage Croatia to fulfill its obligation to try these accused as soon as possible.

F. Outreach and capacity-building

25. As I emphasized in my last report to the Council, it is critical to the success of the Tribunal's Completion Strategy and to the rights of the accused that all referred cases are conducted in full compliance with the highest standards of due process. However, to ensure that transfers made by the International Tribunal to the region are conducted successfully, it is imperative that these domestic jurisdictions are given the support they need from the Security Council and the international community to build domestic judicial capacity. The International Tribunal is aware of initiatives taken by some Member States to provide resources and training to strengthen the rule of law in the States of the former Yugoslavia, but much remains to be achieved. For lasting change to be accomplished and the rule of law to be entrenched in the region, the international community must be prepared to renew

[13] *See* Enclosure V.

and reinforce its current commitments. Increased investments in the region will help protect what has been achieved thus far and will ensure that the prosecution of war criminals continues after the close of the International Tribunal. I consequently urge the international community to take a long-term view of the critical importance of providing the necessary resources and support to domestic judicial systems. As I stated in my last report to the Security Council, it is these judicial systems that have begun the next chapter of the International Tribunal's work by prosecuting war crimes cases at the domestic level, and it is up to the courts in the States of the former Yugoslavia to carry on the legacy of this International Tribunal long after it has completed its mission. It must not be forgotten that it was never intended nor was it considered possible for the International Tribunal to try all persons responsible for the atrocities committed during the conflict in the region.

26. Recognising the importance of building judicial capacity, the Judges of the International Tribunal made time within their busy schedules to share their expertise and experiences with members of the local judiciaries. In February, they welcomed a visit by seven Judges of the State Court of Bosnia and Herzegovina and discussed a broad range of topics in two round-table meetings. The International Tribunal also contributed significantly to the launching of an extended training program for Judges and prosecutors in the Former Yugoslav Republic of Macedonia, involving a series of study visits to The Hague. The Serbian Witness Protection Commission paid a two-day visit to The Hague to learn about the International Tribunal's best practices. In addition, numerous smaller-scale activities and meetings took place, and the Tribunal's jurisprudence was actively made available to counterparts in the region. Finally, on 11 and 12 June 2007, several Judges of the International Tribunal will participate in an inter-regional conference organized by the OSCE with Judges from Croatia, Serbia, Bosnia and Herzegovina and Montenegro focusing on cooperation between jurisdictions for access to confidential materials and use and admissibility of evidence between courts.

27. As was underscored in the Security Council resolutions establishing the International Tribunal, the prosecution of war criminals is one of the factors contributing to the restoration and maintenance of peace in the region. Mindful of the importance of further engagement in this long-term process, the International Tribunal participated in public events on truth-seeking and reconciliation. In Croatia, myself, the Prosecutor and the Registrar spoke in a major regional conference that brought together Judges, prosecutors, politicians, academics, NGO representatives, filmmakers and writers under the topic "establishing the truth after armed conflicts". In Bosnia and Herzegovina, the Tribunal's Outreach Programme played an important role in setting-up an innovative and ambitious project which seeks to raise awareness amongst young people about war crimes and truth-telling mechanisms. Comprehensive presentations were also given to local NGOs promoting peace in the region.

28. Through its Outreach Programme and field offices in Belgrade, Sarajevo, Prishtine/Pristina and Zagreb, the International Tribunal also continued to disseminate its cases and findings to audiences in the former Yugoslavia. In Belgrade, the Outreach Programme co-organised a conference at which three staff members used multimedia presentations to describe how the International Tribunal investigated, prosecuted and tried crimes committed in the Čelebići camp in Konjic, Bosnia and Herzegovina. In Kosovo, a series of more than 20 lectures was held at high schools. In Bosnia and Herzegovina, the Registry Liaison Officer attended a conference in the town of Sanski Most to speak about the International Tribunal's cases in relation to crimes committed there and in neighbouring

municipalities. Across the region, representatives of the Outreach Programme liaised with victims' associations and other parts of civil society. Interlocutors were provided with extensive information, including novelty case information sheets which are being produced in the languages of the region with a view to ensure that key information on the International Tribunal's cases can be easily accessed by local communities.

29. Using the languages of the States of the former Yugoslavia, the International Tribunal's spokespersons and Outreach Officers communicated with the media in the region on a daily basis in order to inform the public at large about developments at the court. The Outreach Programme produced articles about the International Tribunal's cases for regional publications on transitional justice. Specific seminars were organized in Kosovo and the Former Yugoslav Republic of Macedonia for the benefit of local media outlets. Over the reporting period, the International Tribunal responded to an increasing number of requests from local television stations for video materials from the International Tribunal's hearings. Mass reproduction of DVDs was employed to enable the distribution of key footage from the International Tribunal's hearings as well as Judgements and court documents to hundreds of organizations and individuals in the region.

30. In response to the ever-growing use of its website, the International Tribunal launched a major overhaul project which, when completed, will result in a more comprehensive and interactive site with increased update frequency. The ultimate goal is to have the new website play a central role in preserving and communicating the International Tribunal's legacy to a global audience. Statistics show an average number of more than one million page requests each month from the current website. The usage of the Albanian and Macedonian language sites doubled in comparison with figures recorded less than a year before. The Bosnian/Croatian/Serbian segment of the site has maintained its popularity, with more than three hundred thousand page requests per month over the reporting period. The Tribunal's website remains a key tool for web users in the region and throughout the world to access video and audio feeds from the courtrooms as well as Judgements, court documents, general information and daily news.

G. Cooperation of States with the International Tribunal

31. It is with regret that I must again report to the Security Council the International Tribunal's deep concern with the failure of States to secure the arrest and transfer of the six high level remaining fugitives Karadžić, Mladić, Župljanin, Hadžić, Đorđević and Tolimir. While the Tribunal is very troubled by the failure of States to arrest each and every one of these accused, it is especially concerned with the failure to arrest Karadžić and Mladić. As its Presidents have consistently reported to the Security Council, the International Tribunal must not close its doors unless these fugitives are arrested and tried. To do otherwise would mean that the International Tribunal would not have fully discharged its mandate and the message and legacy of the International Tribunal that the international community will not tolerate serious violations of international humanitarian law will be dangerously and perhaps fundamentally undermined.

32. The International Tribunal's success has hinged on the willingness of States to co-operate in full adherence with their obligation to do so under Article 29 of the Statute of the Tribunal. The

necessity of full cooperation from States in the arrest of all remaining fugitives has now reached a critical stage. Without the arrest and trial of these remaining fugitives, international justice will be evaded and the International Tribunal's key objective to bring justice, peace and reconciliation to the region of the former Yugoslavia will be scarred by this failure.

33. It is clear that these fugitives have to face international justice. Accordingly, I urge the Security Council to take action now and send a strong message to these fugitives that they will be not be allowed to wait out international justice. The Security Council must make clear that the trial of these fugitives by the international community does not hinge upon the International Tribunal's proposed Completion Strategy dates. Additionally, I continue my call to all States to do all within their power to ensure the arrest of these fugitives immediately.

III. Legacy of the International Tribunal

34. For over a year now, the International Tribunal has focused attention on its legacy and most crucially on mechanisms that will need to remain in place to dispose of residual issues once the International Tribunal completes all trials and appeals on its docket. The Registrar of the International Tribunal organized a Working Group of key officials at the International Tribunal who have focused on this important issue in collaboration with the International Tribunal for Rwanda. Also, in September of last year, I convened the Judges in plenary to address legacy questions, which informed the report prepared by the Tribunal and submitted to the Office of the Legal Adviser in New York for Member State consideration in April of this year. This Legacy Report followed an initial report provided to the Office of the Legal Adviser in December 2005.

35. Additionally, in February 2007, I participated in an Expert Group meeting along with other officials of the International Tribunal organized by the Faculty of Law at the University of Western Ontario and the International Center for Transitional Justice and hosted by the Canadian Government to discuss the legacy of the International Tribunal and other similar international courts. The dialogue focused on two main issues: the structure of judicial mechanisms to remain in place following the closing of the international courts and the administration of archives. The discussions on residual judicial mechanisms focused on the necessary functions that must remain in place, including: trials of fugitives; supervision and commutation of sentences of convicted persons; review of cases; witness protection; and monitoring of referred cases. The debate on the archives of the International Tribunal focused on their accessibility to other courts and the general public, particularly in the region of the former Yugoslavia. In preparing its report to the Office of the Legal Adviser in April of this year, the International Tribunal benefited greatly from this debate, the number of briefing papers that had been prepared in preparation for the debate, and the resulting report produced by the organizers of the Expert Group meeting.

IV. Updated prognosis regarding implementation of the completion strategy

36. This report to the Council reflects the International Tribunal's commitment to make all efforts to meet Completion Strategy deadlines. Due to the dedication and commitment of the Judges and staff of the International Tribunal, the International Tribunal has succeeded in arriving at a clear estimation

for the completion of all of its pending trials within 2009, as shown by the chart of scheduled trials attached in Enclosure XII. Additionally, the International Tribunal is prepared to schedule the trials of some of its remaining fugitives to be completed within 2009 should they be arrested within the very near future. Furthermore, the International Tribunal estimates that all appeals should be concluded within two years of the completion of trials. While these projections show the success of the International Tribunal's implementation of its Completion Strategy, the Tribunal is not content with those projections. With the continued dedication of the Judges and the International Tribunal's highly competent staff, we will continue to seek new measures to increase the efficiency of the International Tribunal's work, in full compliance with due process and fair trial rights of the accused. As stated previously, whether greater efficiency is achievable, or the current level of efficiency is sustainable, will in large part turn upon the ability of the International Tribunal to retain its highly qualified and experienced Judges and staff. I urge the Council and Member States not to underestimate the importance of this consideration and to assist the International Tribunal in the implementation of mechanisms to retain Judges and staff as necessary for the expeditious completion of the International Tribunal's work.

V. Conclusion

37. While this report to the Security Council is evidence of the International Tribunal's ongoing progress in achieving greater efficiency in its work without sacrificing due process, the success of the International Tribunal is not measured only by the Judgements it has issued or the number of trials and appeals it has completed. The core achievement of the International Tribunal is the precedent it has set for the enforcement of international humanitarian law and the contribution it has made to the establishment of peace and stability in the former Yugoslavia through the prosecution of perpetrators during the conflict in the region.

38. However, as stated previously, there is a serious danger that the achievements of the International Tribunal as an institution charged with bringing an end to impunity will be seriously undermined. It is crucial that the International Tribunal's mandate be fully implemented as intended by the Security Council in resolutions 808 and 827, such that its outstanding fugitives must not be permitted, by virtue of the passage of time, to evade international justice. I reiterate my call to the Security Council to remind States of their obligation to fully cooperate with the International Tribunal by intensifying their efforts to arrest the remaining fugitives without delay so as to guarantee that the victims will be accorded international justice. The message of the international community to these outstanding fugitives must be clear and steadfast – that they will face justice regardless of the time at which they are arrested.

Annex II

Assessment and report of Carla Del Ponte, Prosecutor of the International Tribunal for the Former Yugoslavia, provided to the Security Council pursuant to paragraph 6 of resolution 1534 (2004)

1. This report is submitted pursuant to Security Council resolution 1534 (2004) adopted on 26 March 2004. In paragraph 6 of the resolution, the Security Council requested the International Tribunal for the former Yugoslavia to provide every six months "assessments by its President and Prosecutor, setting out in detail the progress made towards the implementation of the Completion Strategy of the Tribunal, explaining what measures have been taken to implement the Completion Strategy and what measures remain to be taken, including the transfer of cases involving intermediate and lower rank accused to competent national jurisdictions."

1. Introduction

2. There has been intense activity during the past six months. The Office of the Prosecutor continued throughout the reporting period to work hard to meet the Court's deadlines and Completion Strategy goals. The focus is now on the completion of trials and appeals and the support to domestic judicial and prosecutorial authorities. The Office of the Prosecutor continues to cooperate intensively with the States of the former Yugoslavia by assisting these States in a wide range of areas. It works closely with these authorities prosecuting, investigating and trying cases transferred by the Tribunal. The assistance it provides consists of sharing information directly with national prosecutors, providing documents, granting access to the Tribunal's information databases, providing technical assistance, training and responding to a multitude of requests for assistance originating from national authorities.

3. The arrest of the six outstanding fugitives, including the most notorious, Ratko Mladic and Radovan Karadzic, remains a crucial challenge to the Tribunal and the international community as a whole. The failure to apprehend the fugitives timely would seriously undermine the ability of the Tribunal to fulfil its mandate and have a lasting negative impact on the many victims of the atrocious crimes for which these individuals are allegedly responsible as well as the region as a whole.

4. This report follows up on Prosecutor's written assessment of 15 November 2006 and describes the continuing efforts made by the Office of the Prosecutor towards the implementation of the Tribunal's Completion Strategy. In line with the Completion Strategy, the Office of the Prosecutor focuses on four priority areas, which are set out in this report: (1) the progress made in completing trials and appeal proceedings and measures taken to speed up proceedings; (2) the transfer of cases and investigation files to national authorities and further assistance to these authorities; (3) international cooperation and the Office of the Prosecutor's continued efforts to track and arrest fugitives; and (4) the proposed future work schedule in relation to the budget for the 2008-9 biennium and the Tribunal's legacy.

2. Trial and appeal proceedings

5. A detailed account of measures taken to speed up trials has already been set out at length in the President's assessment in Annex I. The activity of the Office of the Prosecutor cannot, of course, be isolated from the overall trial work of the Tribunal, and it would be repetitious here to provide a separate account of the increase in the throughput of cases already described. The Prosecutor need simply confirm that, together with the other organs of the Tribunal, the trial work continues to proceed with maximum effort, now at an unprecedented level. Thanks to the initiatives taken by the Prosecutor since 2004, such as the joining of cases and the referral of cases to domestic jurisdictions, the Tribunal is now set on a clear path towards an orderly completion of its mandate.

6. Significant milestones have now been passed towards meeting the Tribunal's overall completion strategy. The joining of cases has been achieved as far as the inter-relationships among the remaining cases allows. Despite fears that trials with six or more accused would be unwieldy and unmanageable, three multi-leadership cases have proceeded steadily and are broadly on schedule, the trial of *Milutinovic et al* being the first to have now reached the stage of the closure of the prosecution case.

7. Similarly, the Prosecutor has succeeded in securing the transferring of all suitable cases of indicted persons for prosecution before national courts. That policy, too, has now been pursued to its limits, with only one outstanding appeal to be resolved. Together with guilty pleas, this initiative of the Prosecutor has resulted in important gains in terms of time and resources for the Tribunal.

8. The planning of the remainder of the Tribunal's trial schedule has also been greatly helped by the significant progress made in the preparation of cases at the pre-trial stage. The Prosecution has now filed its pre-trial briefs in all of the cases awaiting trial, even if their commencement dates are still some way off. This final preparatory work is essential for the proper judicial management of the cases. Even at this advanced stage in the Tribunal's mandate, the preparation of the next round of trials involves a large amount of investigative, legal and organisational work, which is largely invisible to the outside world. Significant developments have been made in the use of document management and office technology to find, handle and, where required, disclose the large amounts of material in the Office of the Prosecutor. It is worth noting that, at this date, the Prosecution's collection of evidence consists of some seven million pages of documents. Such improvements behind the scenes all contribute to the elimination of delay in the courtroom.

9. Although there is still much qto do, the bulk of the preparatory work has been done, and the Prosecution stands ready to start new cases in the courtroom progressively when the current trials come to an end. The fact that the Prosecution has been able to respond recently at short notice to enforced changes in the proposed scheduling of trials is a good indication of an all-round rise in the level of preparation of cases.

10. Cases before the Tribunal are by their nature long and complex. Trials cannot realistically be condensed to the extent that shortcuts begin to affect the fairness of the proceedings, either to the prosecution, representing the international public interest and the interests of the victims, or to the defence, representing the interests of the accused. The scale and grávity of the crimes and the high level of the accused mean that there can be no short cases. The prosecution has, in certain cases, taken the position that it could not further reduce the scope of indictment as requested by the Chambers,

pursuant to Rule 73*bis*, as a matter of policy and because it would be unjust towards the victims if part of the crime base were to be removed.

11. But that is not to say that nothing can be done to limit the matters requiring full proof in open court, or to find better methods for presenting evidence, in particular if this evidence has already been presented in other related cases. An objective comparison between trials at the Tribunal in the early years and at present would show dramatic changes. Much more written evidence is being presented. Evidence of the commission of crimes, regarded as routine in the Tribunal, is presented by the prosecution wherever possible in writing in lieu of live testimony of witnesses. Even when witnesses are brought to court, the policy of the Office of the Prosecutor is to rely on written statements for most of the evidence-in-chief, and to restrict the examination of witnesses to key points before cross-examination. It is now a feature of all trials that strict time limits are set and accepted for the length of the parties' cases and for the examination of individual witnesses. These time limits are closely monitored and adjusted as trials progress. Consequently, prosecutors continue to re-assess the numbers of witnesses they need to call and the numbers of documents they need to present in order to prove the charges as efficiently as possible.

12. The Tribunal's Rules of Procedure and Evidence, developed progressively and amended regularly over the years, now provide a flexible and balanced system for conducting trials. The amendment of the rules is, of course, a matter for the Judges, but further significant changes in the procedural or evidential framework for the conduct of trials are unlikely to be found. However, there may still be scope for the expanded application of some of the existing rules in a way that would shorten the amount of valuable court time required for a trial. More can still be done to resolve issues in the pre-trial stage, and to make early decisions that would bind the parties at trial and provide a secure basis for subsequent decision-making. Matters of admissibility and the production of documents lend themselves for such early disposal. More might also be done to produce agreement between the parties on uncontentious issues, thus avoiding the need to take up valuable court time.

13. In the most recent trials, the Office of the Prosecutor has proposed to make use of the rule that allows facts proved in one case to be used directly in another case without the evidence of that fact having to be re-heard. As the number of completed cases grows, there will be increased scope for avoiding repetitious evidence, and it may increasingly become evident that some matters are now beyond reasonable dispute. The Office of the Prosecutor will continue to find ways to make use of this potentially important tool in order to establish a core body of factual knowledge in much the same way that the International Criminal Tribunal for Rwanda was able to hold that it was common knowledge that there had been genocide in Rwanda. The increasing body of the Tribunal's fact-finding and jurisprudence and the growing historical perspective on the conflict in the former Yugoslavia may support such an approach.

14. Whether or not such developments prove to be possible, the Prosecutor agrees with the overall assessment that trials of all the accused presently before the Tribunal will either have been concluded or commenced during 2008, and that any trials not concluded during that year will end progressively during 2009. The timing of any arrest of fugitives will determine whether or not they can be tried in the same time period, since the opportunity to join arrested fugitives into existing cases is diminishing every day.

3. Cooperation with national jurisdictions and the transfer of cases and investigation files to the competent national jurisdictions

15. The transfer of cases and investigation files to competent national jurisdictions is a key component of the Tribunal's Completion Strategy. As outlined in detail in the President's report, the Prosecutor has, in total, filed 13 referral motions involving 21 accused, pursuant to Rule 11*bis* of the Rules of Procedure and Evidence. As at 15 May 2007, nine motions have been granted by the Tribunal's Referral Bench, involving 15 accused. Two cases involving two accused resulted in guilty pleas. In one case involving three accused the Prosecutor withdrew its motion and in another case, involving one accused, the Referral Bench denied the motion. There remain no pending applications under Rule 11*bis* before the Referral Bench. Thus far, nine accused have been transferred to the Special War Crimes Chamber of Bosnia and Herzegovina, two accused have been transferred to the authorities of Croatia and one accused has been transferred to Serbia.

16. The Office of the Prosecutor continues to monitor cases referred pursuant to Rule 11*bis* through the Organization for Security and Cooperation in Europe (OSCE). The monitoring mechanism is a fundamental component of the Tribunal's referral process. It also provides essential and effective assistance to national systems involved in a difficult judicial reform process and ensures the smooth and fair continuation of proceedings, which were initiated in The Hague. Taking into consideration the OSCE's critical role in the monitoring process and development of the rule of law, the Prosecutor is concerned about the prospect of a possible closure of the OSCE mission in Croatia by the end of the year and the impact it may have on the further monitoring of trials. The OSCE's capacity to monitor war crimes trials, applying similar high standards in the whole region to the cases referred by the Tribunal as well as prosecutions based on investigative materials provided by the Prosecutor to national prosecutors or initiated by national prosecutors themselves, should be strongly encouraged. This monitoring mechanism could serve as a model for other international criminal tribunals.

17. The Special War Crimes Chamber of the State Court of Bosnia and Herzegovina has made good progress in trying cases that have been referred pursuant to Rule 11*bis* as well as war crimes cases initiated by national prosecutors. As for Croatia, it has also been announced that the trial of the case referred to Croatia will commence on 18 June 2007.

18. The Office of the Prosecutor also continued to handover investigative materials to the national prosecutors in the region for further investigation. These are the so-called category II cases, in which the Tribunal issued no indictment. In total, seven such investigation files have been transferred, three to Bosnia and Herzegovina, two to Croatia and two to Serbia. The Office of the Prosecutor intends to transfer more investigation files involving some 32 persons to Bosnia and Herzegovina to that end. Certain materials belonging to these dossiers have already been provided to authorities in Bosnia and Herzegovina. A number of cases based on these materials have gone to trial or are about to go to trial in Sarajevo, Zagreb and Belgrade.

19. Despite these developments, it is worrying that the Serbian Supreme Court has systematically quashed and returned for re-trial judgements of the Special War Crimes Chamber in the Belgrade District Court when the convicted were Serbs. It is equally worrying that some war crimes cases before the courts in Croatia were subjected to substantial and entirely inappropriate political and

public pressure. In light of the extensive involvement of the Office of the Prosecutor in preparing these investigations, it may be useful to expand existing international monitoring mechanisms so as to include these national prosecutions.

20. The Office of the Prosecutor is prepared to refer back to the Former Yugoslav Republic of Macedonia four files of preliminary investigation work it accepted to take over in 2001. The Office of the Prosecutor intends to transfer these files to the authorities in Skopje for further investigation in the course of the summer of 2007. The Office of the Prosecutor has been informed that the Former Yugoslav Republic of Macedonia has undertaken important steps towards judicial reform and that a legal framework will be established to facilitate cooperation with the Tribunal. The Prosecutor welcomes such developments and will continue to provide assistance to national prosecutors as it has done thus far.

21. Over the years, cooperation with national prosecutors has intensified. The preparation of the transfer of cases and investigation files requires a considerable amount of work, which is carried out by the Office's Transition Team, working on a full-time basis on these cooperation matters, with the assistance of lawyers, prosecutors, investigators and analysts working on the specific dossiers. The Office of the Prosecutor assembles and organizes available evidence, summarises the evidence, provides thorough legal and criminal analysis, contacts witnesses, handles witness protection questions and other issues of confidentiality such as issues related to the protection under Rule 70. During and after the transfer of the files, the Office of the Prosecutor also continues to assist local authorities by providing information and documents, responding to multiple requests for assistance, and answering questions, not only in relation to the transferred files but also in relation to other related cases handled by the Tribunal. The Office of the Prosecutor has also granted access to document databases and specific formalised arrangements have been made to ensure access to the Office of the Prosecutor's evidence collection, including the Office's Electronic Disclosure Suite, which is an electronic database with the Prosecution's evidence collection.

22. Throughout the reporting period, the Office of the Prosecutor, in association with the Chambers and the Registry, continued to be actively engaged in other capacity building activities. Through almost daily contacts with the prosecutors and courts, it participated in conferences, training seminars and other symposia, such as a conference jointly organized by a local NGO and the Tribunal's Outreach Office in Belgrade devoted to the *Celebici* case, and the NGOs-driven conference in Zagreb on the Tribunal's legacy and establishing the truth. Training sessions were also conducted in Skopje and The Hague for judges and prosecutors from the Former Yugoslav Republic of Macedonia. Such events are important and will be continued.

23. The Office of the Prosecutor strongly supports the continued efforts of improving judicial cooperation with national prosecutors and between the national prosecutors of Bosnia and Herzegovina, Croatia and Serbia. Despite multiple efforts over the past year, it was not possible to resolve the issue of non-extradition of nationals and the question of transferring proceedings between the States concerned. The failure to address these issues has led to an "impunity gap", which denies any hope of justice to victims. Addressing this gap requires the political will to change legislation so as to allow for the extradition of nationals and the transfer of proceedings without limitation. The Office of the Prosecutor will continue to support ongoing efforts and initiatives to address this important issue.

4. International cooperation and arrest of fugitives

24. At the time of writing this report, six persons indicted by the Tribunal, namely Radovan Karadzic, Ratko Mladic, Stojan Zuplanin, Goran Hadzic, Vlastimir Dordevic and Zdravko Tolimir remain at large. No fugitive has been arrested or transferred to the Tribunal in the reporting period. The lack of full cooperation of States and failure to arrest and transfer six persons indicted by the Tribunal as required under Article 29 of the Statute of the Tribunal, remains a principal factor hampering the successful and timely achievement of the Tribunal's Completion Strategy.

25. The Office of the Prosecutor is convinced that all remaining accused are within reach of the authorities in Serbia. Even Vlastimir Djordjevic, who is believed to be in Russia could be located by Serb authorities if there were a true political will and a genuine effort.

26. There is reliable information that Radovan Karadzic, the former President of Republika Srpska, is presently in Serbia. The Prosecutor believes that authorities in Serbia have the capability to locate and arrest him. However, Serbia has not provided any substantial assistance to the Tribunal nor has it taken any concrete measure or action in seeking his arrest.

27. Reliable information also points out that Ratko Mladic remains in Serbia. Since July last year, Serbia's Action Plan to locate Ratko Mladic and all other fugitives proved fruitless. The systemic dysfunctions noticed in previous reports are still present. The lack of Serbia's political engagement, the absence of trust and proper cooperation between Serbian institutions and the failure to design and implement a concrete strategy continued to undermine the whole effort. Since October 2006, when the election campaign started in Serbia, there has been no sign of any significant activity aimed at locating and arresting fugitives indicted by the Tribunal. It has always been a position of the Prosecutor that only an unambiguous demonstration of political will by the authorities in Serbia can reverse the negative trend and produce results.

28. During the reporting period, the Office of the Prosecutor has sustained its efforts to gather information related to the whereabouts of fugitives. A number of initiatives have been taken and contacts are maintained with the concerned States. Despite the politically uncertain situation in Serbia, the Prosecutor maintained contacts with the authorities in Belgrade, including at the operational level. However, it finds that the responsible Serbian services have generally been less active and cooperative.

29. It is worth recalling that the International Court of Justice, in its recent Judgement of 27 February 2007, found that Serbia was in violation of the Genocide Convention since Serbia had done nothing to prevent the Srebrenica massacres. Moreover, in relation to the obligation to punish perpetrators of genocide, the Court stated that under the Genocide Convention, States have an obligation to cooperate with the Tribunal. The Court found Serbia in violation of the Convention as it failed in its duty to fully cooperate with the Tribunal. The Court observed that the Serb authorities did not do what they could and reasonably can do to ascertain exactly the location of Ratko Mladic and arrest him. The Court observed that there was plentiful, and mutually corroborative, information suggesting that Ratko Mladić, indicted by the Tribunal for genocide, as one of those principally responsible for the Srebrenica massacres, was on the territory of Serbia at least on several occasions and for substantial periods during the last few years and is still there now.

30. Referring to its consistent position on this matter and the particularly clear findings of the International Court of Justice with regard to Serbia's duties under international law and its failures to cooperate with the Tribunal, the Office of the Prosecutor continues to actively engage in seeking the support from States and international organizations to obtain the arrest of remaining fugitives and, in particular Ratko Mladic and Radovan Karadzic. It is hoped that the international community and especially concerned States will give effect to the International Court of Justice's findings.

31. The Prosecutor has informed these authorities of Serbia's insufficient level of cooperation. Since November last year, when, unfortunately, the North Atlantic Treaty Organization (NATO) invited Serbia to join its Partnership for Peace Programme and the Euro-Atlantic Partnership Council, the leverage of the European Union has remained the sole effective mechanism compelling Serbia to meet its international obligations. The European Union has set full cooperation with the Tribunal as a precondition for Serbia's rapprochement towards the European Union. Full cooperation with the Tribunal should be understood as implying the arrest of Radovan Karadzic and Ratklo Mladic. The Prosecutor remains available to provide the European Union with assessments on the level of cooperation provided by Serbia.

32. Croatia's level of cooperation with the Office of the Prosecutor is generally acceptable. However, there are indications of an increase in difficulties, involving the authorities of Croatia, in particular, related to the trial against *Ante Gotovina et al.*. Cooperation of Croatia remains crucial and will be tested during the coming months.

33. Bosnia and Herzegovina's level of cooperation with the Office of the Prosecutor has progressed and is now generally satisfactory. There are clear indications of progress made at the State and at the entity levels to improve coordination in targeted actions against the fugitives' support network.

34. There are no significant problems in the cooperation provided by the former Yugoslav Republic of Macedonia and Montenegro.

35. The Office of the Prosecutor continues to rely on cooperation from the United Nations Interim Administration Mission in Kosovo (UNMIK), in particular related to the case against *Ramush Haradinaj et al.* As previously reported, there are serious problems related to the protection of witnesses in that case. The Office of the Prosecutor will need to continue to rely heavily on UNMIK's assistance in ensuring the safety of its witnesses. Moreover, since security of witnesses is a very serious concern, the Office of the Prosecutor will endeavour to ensure that this issue continues to be addressed by the international community present in Kosovo after a new arrangement is in place.

5. Planning for the future

36. Concluding the second benchmark phase of the Tribunal's Completion Strategy, namely finishing first-instance trials, will have significant financial and structural consequences for the Office of the Prosecutor. That impact is being incorporated into the next budget proposal for the 2008-2009 biennium and into the Tribunal's legacy planning.

Budget and internal restructuring

37. In its budget for the next biennium, the Office of the Prosecutor is proposing further considerable reductions in staff and in non-post items such as travel and General Temporary Assistance. In line with the decrease in first instance trial activity, the proposal envisages a substantial reduction in staff in 2009. To improve efficiency and effectively support trial and appeals work, there will also be further office restructuring and organizational changes. The Investigations Division will merge with the Prosecution Division, and the Appeals Section will be strengthened to handle an increase in appellate work. Until the end of 2008, the Office of the Prosecutor will continue to function at full capacity, stretching its limited resources to cope with the remaining work-load.

Staff retention

38. As the Tribunal is entering its final phase, there is a fear that an increasing number of qualified and competent staff will leave the institution. The loss of institutional knowledge and the difficulty in hiring experienced staff to complete remaining trials will invariably result in delays in completing the Tribunal's work. Together with the President and the Registrar, the Prosecutor therefore supports providing incentives for the retention of qualified and competent staff.

The Legacy of the Tribunal

39. The Tribunal is in its last years of existence. It is therefore important for each of the United Nations *ad hoc* Tribunals to consider their legacies and related issues by proposing plans for the successful and efficient completion of their work and the lasting preservation of their achievements. The Prosecutor supported and contributed to the initiative of the Registrars of the two Tribunals to prepare suggestions regarding the legacies for both institutions. These suggestions were presented by the Tribunals to the Office of the Legal Counsel and are now before a working group of the Security Council. The proposals focus on the structure and mechanisms to remain in place following the closing of the tribunals and the administration of archives. It is fundamentally important that, for legal and practical reasons, prosecutorial options are preserved and the institution continue to exist as a legal entity — albeit seriously downsized — after 2010. The Tribunal's indictments, arrest warrants and rulings must continue to have effect to ensure that fugitives apprehended after 2010 will face international justice. It is equally important that the archives, which form part of the legacy, remain available, accessible and useful to all those interested, in particular the victims but also Governments, international organizations, non-governmental organizations, judicial institutions and academic researchers.

6. Conclusion

40. To meet the objectives set in Security Council resolutions 1503 (2003) and 1534 (2004), the Office of the Prosecutor is committed to speeding up proceedings by working closely with the other organs of the Tribunal. The first deadline of the Tribunal's Completion Strategy was met as all final indictments were issued by the end of 2004. The Office will continue to work hard towards finishing trials as early as possible. The transfer of the cases and investigation files to national jurisdictions and continuing close cooperation with national prosecutors remains a primary objective of the Office. The Office of the Prosecutor will also continue to focus on seeking the assistance from States and the international community to obtain the arrest of the remaining fugitives. Finally, the Office of the

Prosecutor is thoroughly engaged in planning for the future as reflected in its budget proposal for 2008-9 and in the proposals set out by the two Tribunals on their legacy.

41. To face the pressure of the Completion Strategy and successfully complete the mission it was entrusted with by the Security Council, the Office of the Prosecutor will continue to need the support from the United Nations and its Member States. It is in the interest of the international community as a whole, which has invested so much into institutions of international criminal justice, that the Tribunal have a successful and lasting positive impact on the countries and victims affected by wars and atrocious crimes.

42. The Tribunal has reached a point where its success in delivering justice to the victims of atrocities committed in the former Yugoslavia, its ability to fulfil its mandate, and the success of its Completion Strategy will largely depend on the removal of obstacles in Serbia to cooperate with the Tribunal. The international community has a moral duty to help Serbia and its leadership to make the right choice and take decisive action to bring all six remaining fugitives to The Hague. It should also stand firm and continue to defend fundamental principles of international justice. After the landmark judgement of the International Court of Justice in February this year, when Serbia was the first State to be found in violation of the Genocide Convention and ordered to deliver Ratko Mladic to The Hague, it would be inconceivable to end the Tribunal's mandate without Radovan Karadzic and Ratko Mladic, both accused of genocide in Srebrenica, being brought to justice before the Tribunal. The Council may wish to consider further action to encourage Serbia and other relevant countries to finally fulfil their international obligations under Chapter VII of the Charter.

Enclosure I

1. Persons Convicted or Acquitted after Trial between 01 December 2006 – 31 May 2007				
Case	**Name**	**Former Title**	**Initial Appearance**	**Judgement**

2. Persons Pleading Guilty between 01 December 2006 – 31 May 2007				
Case	**Name**	**Former Title**	**Initial Appearance**	**Judgement**
1	Dragan Zelenović	Sub Commander, Military Police, Serb forces	13 June 2006	4 April 2007 (convicted)

3. Persons Convicted of Contempt between 01 December 2006 – 31 May 2007			
Case	**Name**	**Initial Appearance**	**Judgement**
1	Domagoj Margetić	13 October 2006	7 February 2007 (convicted)

Enclosure II

1. Trials in Progress (29 accused in 8 cases)				
Case	**Name**	**Former Title**	**Initial Appearance**	**Comments**
1	Mile Mrkšić*	Colonel and Commanding Officer, JNA	16 May 2002	"Vukovar Hospital" Trial commenced 10 October 2005
	Miroslav Radić*	Captain, JNA	16 May 2002	
	Veselin Šljivančanin*	Major, JNA	3 July 2003	
2	Milan Martić*	President, "RSK"	21 May 2002	"RSK" Trial commenced 13 December 2005
3	Jadranko Prlić	President, "Herceg-Bosna"	6 April 2004	"Herceg-Bosna" Trial commenced 26 April 2006
	Bruno Stojić	Head Department of Defence, "Herceg-Bosna"		
	Slobodan Praljak	Assistant Minister Defence, "Herceg-Bosna"		
	Milivoj Petković	Commander, HVO		
	Valentin Ćorić	Chief of Military Police Administration, HVO		
	Berislav Pušić	Military Police Commanding Officer, HVO		
4	Dragoljub Ojdanić	Chief of Staff, VJ	26-Apr-02	"Kosovo" Trial Commenced 10 July 2006
	Nikola Šainović	Deputy Prime Minister, FRY	3-May-02	
	Milan Milutinović	President Republic of Serbia	27-Jan-03	
	Vladimir Lazarević	Commander, Pristina Corps, VJ, Kosovo	7-Feb-05	
	Sreten Lukić	Head Staff, Serbian Ministry of Internal Affairs, VJ, Kosovo	6-Apr-05	
	Nebojša Pavković	General, Commander 3rd VJ Army, Kosovo	25-Apr-05	
5	Ljubiša Beara	Colonel, Chief of Security, VRS	12-Oct-04	"Srebrenica" Trial Commenced 14 July 2006
	Drago Nikolić	Chief of Security, Drina Corps, VRS	23-Mar-05	
	Ljubomir Borovčanin	Deputy Commander, Ministry of Interior Special Police Brigade, RS	7-Apr-05	
	Vujadin Popović	Lt. Colonel, Assist. Commander, Drina Corps, VRS	18-Apr-05	
	Vinko Pandurević	Commander, Zvornik Brigade, VRS	31-Mar-05	
	Milan Gvero	Assistant Commander, VRS	2-Mar-05	

	Radivoje Miletić	Chief of Operations, Deputy Chief of Staff, VRS	2-Mar-05	
6.	Dragomir Milošević	Chief Commander, Romanija Corps, VRS	7-Dec-04	Trial Commenced 5 March 2007
7.	Ramush Haradinaj	Commander, KLA	14-Mar-05	
	Idriz Balaj	Commander, KLA	14-Mar-05	
	Lahi Brahimaj	Deputy Commander, KLA	14-Mar-05	
8.	Johan Tarčulovski	Personal Security Officer for President, FYROM	21-Mar-05	Trial Commenced 16 April 2007
	Ljube Boškoski	Minister of Interior, FYROM	1-Apr-05	
	Total Persons: 29			

**** These 2 trial cases are in Judgement writing phase (in total 4 accused awaiting Judgement).***

Legend:
FRY: Federal Republic of Yugoslavia
Herceg-Bosna: Croatian Republic of Herceg-Bosna
HVO: Croatian Defence Council
JNA: Yugoslav People's Army
RS: Republika Srpska
RSK: Republic of Serbian Krajina/Republika Srpska Kkrajina
VRS: Bosnian Serb Army
VJ: Armed Forces of the Federal Republic of Yugoslavia
KLA: Kosovo Liberation Army
FYROM: Former Yugoslav Republic of Macedonia

Enclosure III

1. Arrivals at the Tribunal between 01 December 2006-31 May 2007					
	Name	**Former Title**	**Place of crime**	**Arrival Date**	**Initial Appearance**
No new arrivals for this period					

2. Remaining Fugitives (6 accused)				
	Name	**Former Title**	**Place of Crime**	**Date indictment**
1	Radovan Karadžić	President, RS	BiH	25 July 1995
2	Ratko Mladić	Commander, Main Staff, VRS	BiH	25 July 1995
3	Vlastimir Đorđević	Assistant Minister, Serbian Ministry of Internal Affairs, VJ	Kosovo	25 September 2003
4	Goran Hadžić	President, "SAO SBWS"	Croatia	28 May 2004
5	Stojan Župljanin	Head or Commander of the Serb Operated Regional Security Services Centre	Krajina, Croatia	6 October 2004
6	Zdravko Tolimir	Assistant Commander, Intelligence and Security of the Main Staff, VRS	Srebrenica and Zepa	10 February 2005
	Total Remaining Indictees: 6			

Legend:
RS: Republika Srpska
SAO SBWS: Serbian Autonomous District, Slavonia Baranja and Western Srem
VRS: Bosnian Serb Army
VJ: Armed Forces of the Federal Republic of Yugoslavia

Enclosure IV

Accused Awaiting Trial for the period 01 December 2006 – 31 May 2007 (9 accused, 6 cases)			
Case	**Name**	**Former Title**	**Initial Appearance**
1	Vojislav Šešelj	President, SRS	26-Feb-03
2	Franko Simatović*	Commander, Special Operations Unit, State Security Services ("DB"), Republic of Serbia	2-Jun-03
	Jovica Stanišić*	Head, State Security Services ("DB"), Republic of Serbia	12-Jun-03
3	Ante Gotovina	Commander, Split Military District, HV	12-Dec-05
	Ivan Čermak*	Assistant Minister Defence, Commander of Military Police, Croatia	12-Mar-04
	Mladen Markač*	Special Police Commander, Croatia	
4	Rasim Delić*	Commander, ABiH	3-Mar-05
5	Momčilo Perišić*	Chief of General Staff, VJ	9-Mar-05
6	Mićo Stanišić*	Minister, Internal Affairs, RS	17-Mar-05

* *Accused have been granted provisional release.*

Legend:

ABiH: *Army of Bosnia and Herzegovina*
HV: *Croatian Army*
RS: *Republika Srpska*
SRS: *Serbian Radical Party*
VJ: *Armed Forces of the Federal Republic of Yugoslavia*

Enclosure V

1. 11*bis* motions pending (01 December 2006 – 31 May 2007)				
Case	**Name**	**Former Title**	**Motion filed**	**Status**
No 11bis motions pending after 31 May 2007				

2. 11*bis* motions pending on appeal between 01 December 2006 and 31 May 2007				
Case	**Name**	**Former Title**	**Motion filed**	**Status**
1	Milan Lukić	Member, Serb paramilitary unit, BiH	19 April 2007	pending

3. 11*bis* cases referred between 01 December 2006 and 31 May 2007				
Case	**Name**	**Former Title**	**Decision filed**	**Status**
1	Vladimir Kovacevic	Commander, JNA	28 March 2007	Referred back to Republic of Serbia
2	Sredoje Lukić	Member, Serb paramilitary unit, BiH	27 April 2007	Referred back to BiH
3	Milorad Trbic	Deputy Commander, Third Battalion VRS	05 April 2007	Referred back to BiH

* *In total, 14 Accused in 9 cases have been referred to the region on Rule 11bis motions to date.*

Legend:

BiH: *Bosnia and Herzegovina*
JNA: *Yugoslav People's Army*
VRS: *Bosnian Serb Army*

Enclosure VI

APPEALS COMPLETED FROM 1 DECEMBER 2006 [1]
(with date of Filing and Decision) Updated to 15 May

INTERLOCUTORY

ICTY	
1. Seselj IT-03-67.Ar73.4	07/12/06-08/12/06
2. Milutinovic et al IT-05-87-Ar65.2	06/12/06-14/12/06
3. Boskoski IT-04-82-Ar72.2	22/09/06-09/01/07
4. Prlic et al IT-04-73.4	30/11/07-06/02/07
5. Popovic et al IT-05-88-Ar.65.3	21/12/06-01/03/07
6. Lukic IT-98-32/1-Ar65.1	20/12/06-16/04/07
7. Seselj IT-03-67-Ar73.5 ***Confidential***	14/02/07-17/04/07
8. Milutinovic et al IT-05-87-Ar73.1	21.03.07-20.04.07
9. Gotovina et al IT-06-90-Ar73.1	20.03.07-04/05/07
10. Prlic et al IT-04-74-Ar73.4	08/03/07-11/05/07
ICTR	
1. Karemera et al ICTR-98-44-R15*bis*.3	13/03/07-20/04/07
2. Karemera et al. ICTR-98-44-AR73.8	19/03/07-11/05/07

FROM JUDGEMENT

ICTY	
1. Simi} IT-95-9-A	17/11/03-28/11/06
2. Gali} IT-98-29-A	15/12/03-30/11/06
3. Bralo IT-95-17-A	05/01/06-02/04/07
4. Brđanin IT-99-36-A	30/09/04-03/04/07
5. Blagojevic/Jokic IT-02-60-A	23/02/05-09/05/07
ICTR	
1. Ndindabahizi ICTR-01-71-A	13/08/04-16/01/07
2. Muhimana ICTR-95-1B-A	20/05/05-21/05/07

OTHER

ICTY	
1. Stakic IT-97-24-R	05/10/06-16/11/06
2. Krnojelac IT-97-25-A ***Confidential***	05/10/06-22/11/06
3. Gotovina et al IT-06-90-Ar108bis.1	25/10/06-13/12/06
4. Prlic et al IT-04-74-Ar108bis.1	25/10/06-13/12/06
5. Gotovina, Cermak & Markac IT-03-73-Ar73.1	08/11/06-12.01.07
6. Stakic IT-97-24-A	27/10/06-19/01/07
7. Blaskic IT-95-14-R (rule70)	22/12/07-19/01/07
8. Blaskic IT-95-14-R (Bralo)	11/01/07-29/01/07
9. Blaskic IT-95-14-R (Delic)	19/01/07-14/02/07
10. Martinovic/Naletilic IT-98-34-A- ***Confidential***	02/02/07-06/03/07
11. Blaskic IT-95-14-R	05/02/07-13/03/07
12. Galic IT-98-29-A ***Confidential***	01/03/07-20/03/07
13. Krstic IT-98-33-A ***Confidential***	13/03/07-28/03/07
14. Lukic IT-98-32/1-Ar11bis.1	18/04/07-04/05/07
ICTR	
1. Karemera ICTR-98-44-AR73(C)	07/08/06-01/12/06
2. Nzirorera ICTR-98-44-Ar73 (C)	17/08/06-01/12/06
3. Ngirumpatse ICTR-98-44-Ar73(C)	29/08/06-01/12/06
4. Niyitegeka – ICTR-96-14-R	28/03/07-17/04/07

REFERRAL

ICTY	
1. Kovacevic IT-01-42/2-Ar11bis.1	01/12/06-28/03/07

REVIEW

ICTY	
1. Blaskic IT-95-14-R	29/05/07-22/11/06
ICTR	
1. Rutaganda ICTR-96-3-R	13/04/06-08/12/06
2. Niyitegeka ICTR-96-14-R	08/12/06-06/03/07

CONTEMPT

1. Josip Jovic IT-95-14 & 14/2-R77-A	14/09/06-15/03/07

[1] **Total number of Appeals Completed from 1 December 2006 = 42**

Interlocutory Appeals = 12 Contempt = 1 Referral = 1
Appeals from Judgement = 7 Review = 3 Other = 18

Enclosure VII

APPEALS pending as of 31 MAY 2007 [2] (with date of filing) Updated to 15 May			
INTERLOCUTORY		**FROM JUDGEMENT**	
ICTY		**ICTY**	
1. Trbic IT-05-88/1-Ar73.1 *Confidential*	17/07/06		
2. Gotovina IT-06-90-Ar72.1	03/04/07	1. Halilovic IT-01-48-A	16/12/05
3. Gotovina IT-06-90-Ar73.2	04/05/07	2. Limaj IT-03-66-A	30/12/05
4. D. Milosevic IT-98-29/1-Ar73.1	10/05/07	3. Hadzihasanovic/Kubura IT-01-47-A	13/04/06
5. Prlic et al IT-04-74-Ar72.2	10/05/07	4. Oric IT-03-68-A	31/07/06
		5. Krajisnik IT-00-39-A	25/10/06
ICTR		6. Zelenovi} IT-96-23/2-A	27/04/07
1. Karemera et al ICTR-98-44-Ar73.9	11/04/07		
2. Nyaramasuhuko et Al ICTR-98-42-Ar73	09/05/07	**ICTR**	
		1. Nahimana et al ICTR-99-52-A	12/12/03
		2. Simba ICTR-01-76-A	14/12/05
		3. Muvunyi ICTR-00-55A-A	12/10/06
		4. Seromba ICTR-01-66-A	11/01/07
OTHER		**REFERRAL**	
ICTY		1. Lukic IT-98-32/1-Ar11bis.1	19/04/07
1. Blaskic IT-95-14-R			
2. Strugar IT-01-42-Misc 1- Confidential	26/03/07	**REVIEW**	
3. Milosevic IT-02-54-Ar108bis.3 Confidential	19/04/07		
	26/04/07		
ICTR		**CONTEMPT**	
1. Rwamakuba ICTR-98-44C-A	12/02/07		

[2] **Total number of Appeals pending = 22**

Interlocutory Appeals = 7 Contempt = 0 Referral = 1
Appeals from Judgement = 10 Review = 0 Other = 4

Enclosure VIII

MOTIONS disposed of as of 1 DECEMBER 2006

(with date of disposition)

ICTR

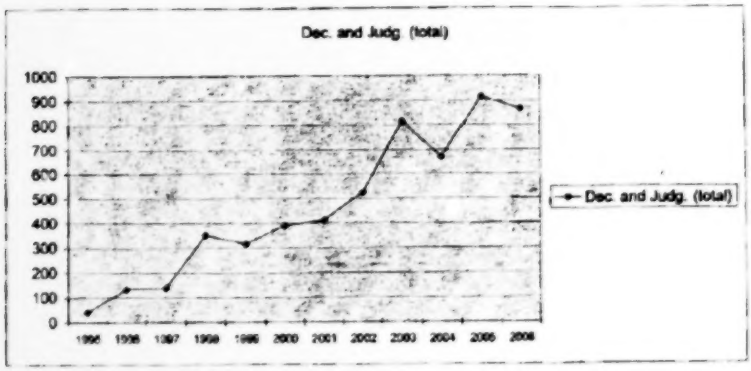
1. Kanyabashi ICTR-98-42-AR73 10/05/07
2. Karemera et al ICTR-98-44 20/03/07
3. Karemera et al ICTR-98-44 14/03/07
4. Karemera et al ICTR-98-44 12/04/07
5. Muhimana ICTR-95-1B-A 29/03/07
6. Muhimana ICTR-95-1B-A 08/05/07
7. Muhimana ICTR-95-1B-A 12/01/07
8. Muhimana ICTR-95-1B-A 11/01/07
9. Muvunyi ICTR-00-55A-A 22/11/06
10. Muvunyi ICTR-00-55A-A 15/02/07
11. Muvunyi ICTR-00-55A-A 15/02/07
12. Muvunyi ICTR-00-55A-A 05/03/07
13. Muvunyi ICTR-00-55A-A 19/03/07
14. Muvunyi ICTR-00-55A-A 27/04/07
15. Muvunyi ICTR-00-55A-A 04/04/07
16. Nahimana et al ICTR-99-52-A 16/11/06
17. Nahimana et al ICTR-99-52-A 20/11/06
18. Nahimana et al ICTR-99-52-A 23/11/06
19. Nahimana et al ICTR-99-52-A 27/11/06
20. Nahimana et al ICTR-99-52-A 27/11/06
21. Nahimana et al ICTR-99-52-A 01/12/06
22. Nahimana et al ICTR-99-52-A 08/12/06
23. Nahimana et al ICTR-99-52-A 08/12/06
24. Nahimana et al ICTR-99-52-A 08/12/06
25. Nahimana et al ICTR-99-52-A 06/12/06
26. Nahimana et al ICTR-99-52-A 13/12/06
27. Nahimana et al ICTR-99-52-A 13/12/06
28. Nahimana et al ICTR-99-52-A 05/12/06
29. Nahimana et al ICTR-99-52-A 01/12/06
30. Nahimana et al ICTR-99-52-A 15/01/07
31. Nahimana et al ICTR-99-52-A 15/01/07
32. Nahimana et al ICTR-99-52-A 12/01/07
33. Nahimana et al ICTR-99-52-A 12/01/07
34. Nahimana et al ICTR-99-52-A 12/01/07
35. Nahimana et al ICTR-99-52-A 15/01/07
36. Nahimana et al ICTR-99-52-A 21/02/07
37. Nahimana et al ICTR-99-52-A 07/02/07
38. Nahimana et al ICTR-99-52-A 27/03/07
39. Nahimana et al ICTR-99-52-A 19/03/07
40. Nahimana et al ICTR-99-52-A 05/03/07
41. Nahimana et al ICTR-99-52-A 03/04/07
42. Nahimana et al ICTR-99-52-A 03/05
43. Niyitegeka ICTR-96-14-R 30/03/07
44. Niyitegeka ICTR-96-14-R 09/01/07
45. Rwamakuba ICTR-98-44C-A 18/04/07
46. Rwamakuba ICTR-98-44C-A 10/05/07
47. Serumba ICTR-01-66-A 08/05/07
48. Serumba ICTR-00-66-A 14/02/07
49. Serumba ICTR-01-66-A 12/03/07
50. Serumba ICTR-01-66-A 22/03/07
51. Serumba ICTR-01-66-A 11/05/07
52. Simba ICTR-01-76-A 30/11/06
53. Simba ICTR-01-76-A 18/04/07
54. Simba ICTR-01-76-A 04/04/07
55. Simba ICTR-01-76-A 09/01/07

ICTY

56. Blagojevic & Jokic IT-02-60-A 21/11/06
57. Blagojevic & Jokic IT-02-60-A 05/12/06
58. Blagojevic & Jokic IT-02-60-A 22/01/07
59. Blagojevic & Jokic IT-02-60-A 24/04/07
60. Blagojevic & Jokic IT-02-60-A 12/04/07
61. Blaskic IT-95-14-R 20/11/06
62. Blaskic IT-95-14-R 01/12/06
63. Blaskic IT-95-14-R 31/01/07
64. Blaskic IT-95-14-R 29/01/07
65. Blaskic IT-95-14-R 11/01/07
66. Blaskic IT-95-14-R 09/01/07
67. Blaskic IT-95-14-R 14/02/07
70. Bralo IT-95-17-A 05/12/06
71. Bralo IT-95-17-A 12/01/07
72. Bralo IT-95-17-A 11/01/07
73. Bralo IT-95-17-A 10/01/07
74. Bralo IT-95-17-A 09/01/07
75. Bralo IT-95-17-A 13/02/07
76. Bralo IT-95-17-A 08/02/07
77. Bralo IT-95-17-A 15/03/07
78. Bralo IT-95-17-A 05/03/07
79. Brdanin IT-99-36-A 24/01/07
80. Brdanin IT-99-36-A 10/01/07
81. Brdanin IT-99-36-A 23/02/07
82. Brdanin IT-99-36-A 16/03/07
83. Galic IT-98-29-A 16/11/06
84. Galic IT-98-29-A 06/12/06
85. Galic IT-98-29-A 06/03/07
86. Gotovina, Cermak and Markac IT-06-90 16/11/06
87. Gotovina, Cermak and Markac IT-06-9012/01/07
88. Hadzihasanovic & Kubura IT-01-47-A 30/01/07
89. Hadzihasanovic & Kubura IT-01-47-A 22/01/07
90. Hadzihasanovic & Kubura IT-01-47-A 20/02/07
91. Hadzihasanovic & Kubura IT-01-47-A 14/02/07
92. Hadzihasanovic & Kubura IT-01-47-A 22/03/07
93. Hadzihasanovic & Kubura IT-01-47-A 04/05
94. Hadzihasanovic & Kubura IT-01-47-A 03/05
95. Hadzihasanovic & Kubura IT-01-47-A 04/05
96. Jovic IT-95-14 & 14/2-R77-A 15/02/07
97. Jovic IT-95-14 & 14/2-R77-A 24/04/07
98. Krajisnik IT-00-39-A 20/12/06
99. Krajisnik IT-00-39-A 31/01/07
100. Krajisnik IT-00-39-A 29/01/07
101. Krajisnik IT-00-39-A 11/01/07
102. Krajisnik IT-00-39-A 21/02/07
103. Krajisnik IT-00-39-A 20/02/07
104. Krajisnik IT-00-39-A 01/02/07
105. Krajisnik IT-00-39-A 11/05/07
106. Limaj IT-03-66-A 29/11/06
107. Limaj IT-03-66-A 15/03/07
108. Limaj IT-03-66-A 12/03/07
109. Limaj IT-03-66-A 10/05/07
110. Lukic et al IT-98-32/1-Ar11.bis.1 11/05/07
111. Milutinovic IT-05-87-Ar73.1 08/12/06
112. Naletelic & Martinovic IT-98-34-A 02/02/07
113. Oric IT-03-68-A 30/01/07
114. Oric IT-03-68-A 29/01/07
115. Oric IT-03-68-A 02/05/07
116. Oric IT-03-68-A 03/05/07
117. Oric IT-03-68-A 10/05/07
118. Oric IT-03-68-A 14/05/07
119. Seselj IT-03-67 08/12/06
120. Seselj IT-03-67 15/02/07
121. Stakic IT-97-24-A 16/11/06
122. Stakic IT-97-24-A 20/11/06
123. Trbic IT-05-88/1-Ar73.1 22/03/07
124. Zelenovic IT-96-23/2-A 02/05

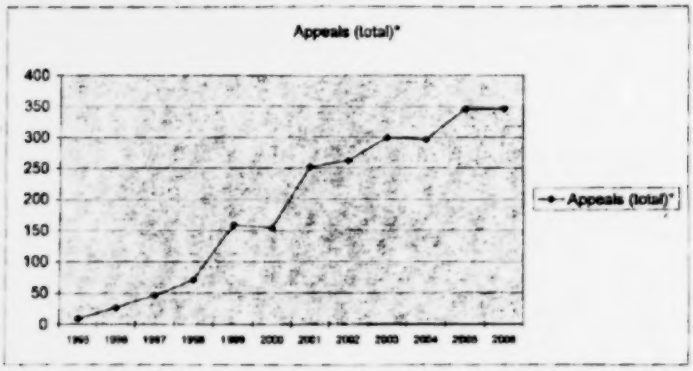
Enclosure IX: ICTY Pre-Trial and Trial Activity

	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
[redacted]	41	133	137	350	316	389	410	524	814	668	915	865	337



Enclosure X: ICTY Pre-Appeal and Appeal Activity

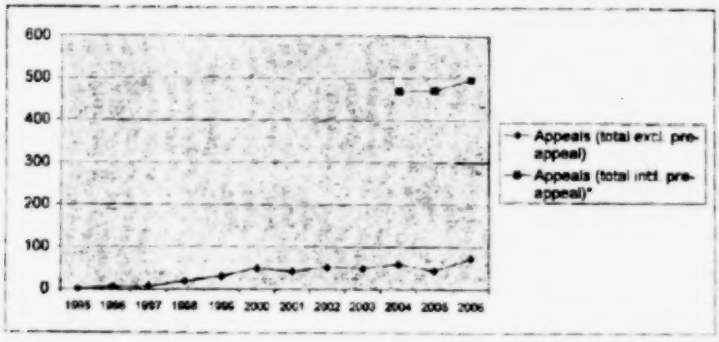
	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
[redacted]	9	27	46	71	158	154	252	282	299	298	345	345	113



*Includes all orders and decisions rendered.

Enclosure XI: ICTY and ICTR Appeals Chamber Activity

	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
[redacted]	1	6	6	19	31	49	42	52	49	59	44	72	29
										468	471	496	164



* Includes all orders and decisions rendered